

**A MEETING OF THE BOARD OF PUBLIC WORKS & SAFETY OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL BE HELD IN THE THIRD FLOOR ASSEMBLY ROOM AT THE CITY/COUNTY BUILDING ON TUESDAY, MAY 20, 2008 AT 10:00 A.M.**

**PRESENT:** Matt Denison, Carl Malysz, Kay Garry, Corporal Mike Lawrence, Code Enforcement Officer Pam Badger, Traffic Director Dennis Smith, Fire Chief Matt Juliot, Street Dept Director Mickey Thompson, City Clerk Marcey Wisman, Building Commissioner Ron Hartman, Flood control Director Ron Granger, David Hall, Animal Control, Shane Gibson City Attorney

**CALL TO ORDER:**

**Mr. Malysz called the meeting to order at 10:04 a.m.**

**PLEDGE OF ALLEGIANCE:**

**NEW BUSINESS:**

**Item #1 - Mary Barber with Vectren re: Silver Street gas line replacement.**

**Ms. Barber** addressed the board and reminded them that she had approached them in April regarding work that they wanted to do on Silver Street to replace pipe prior to the paving of the street. She presented pictures showing that the work is complete and up to the standards so that they can now pave the street.

**Mr. Malysz** informed the board that that he and the Mayor had a meeting with Ms. Barber and other representatives to discuss the administrations new policy on street cuts, permit fees and paving obligations. He stated that when Vectren first came before the board they had discussed the possibility of them paying for some of the paving cost, but Mayor England asked that they just accept the work that was done and pay for the paving as was originally planned because they did the work according to City specs.

**Mr. Denison made a motion to accept the work performed by Vectren and to have Mickey Thompson and John Rosenbarger move forward with the paving of Spring Street, Ms. Garry second, all voted in favor.**

**Item #2 - James Gaetano re: street closing on Market in between State and Pearl for Jimmy's Music Center Grand Opening.**

**Mr. Gaetano** stated that DNA has planned a car show for June 7th and he would like to do his grand opening on that day. They would like to close the North side of Market where they will park the cars and he would have like to close Pearl from Federal Hill up to Market.

**Mr. Malysz** stated that he thinks closing Pearl on a Saturday when DNA is trying to attract crowds might work against what they are trying to accomplish. He stated that he just isn't sure about the logistics so he would need to work it out with DNA.

**Mr. Denison moved to approve the request to close the North side of Market on June 7 from 9:00AM to 4:00PM, Mrs. Garry second, all voted in favor.**

**Mr. Gaetano** stated that there is a licensed diving instructor that would like to do demonstrations on the sidewalk. He would like to inflate a three foot pool and fill it with water.

**Mr. Malysz** asked if he could have the diving instructor come to the next meeting so that they may address their concerns with him.

**Mrs. Garry** stated that they would need to check with the attorney about the liability.

**Mr. Malysz** stated that he would need to check with his insurance to make sure they will cover their liability with regards to all the different requests.

**Item #2 - Brady Koch re: Solicitor's permit for South Western Company**

**Ms. Wisman** stated that these individuals come into town every year to sell educational books door-to-door. She stated that she is very surprised that they aren't here today and explained that they called from Texas to set this up.

**Mr. Malysz** asked that she get in touch with them and ask that if they aren't going to have a representative at the next meeting to send something in.

**Item #3 - Residents of Linden Street (Phyllis Pound, Kim Schroeder & Nicky Blair) re: Speeding problem on Linden Street**

**Ms. Schroeder** addressed the board on behalf of Linden Street and explained that they are having a problem with speeders on the street. She stated that they have people who ignore the stop sign and they have so many children on the street that play and they are afraid that someone is going to get hurt. She explained that there is a resident that has lived in the area for years who told them that three different children have been hit on this road and they don't want it to happen to their children just because adults can't follow simple traffic laws.

**Ms. Jackson** stated that on Saturday night someone hit her dog and didn't stop and they came within a few feet of hitting a child that was running out to stop the dog and he had no idea whether or not he had hit the girl or the dog. She stated that with so many small children on that block that you can't help but have at least one or two running around and they do not want to see anyone get hurt.

**Mr. Denison** stated that it sounds as if they have been very proactive with regards to this issue and wanted to know if the cars that they are seeing are from the neighborhood.

**Ms. Jackson** stated that most of them are not from the area but there is constant traffic back in the area and they do not know why because there aren't that many residences there but there are a lot of young people who drive through there. She stated that it is very bad on the weekends and there are no stop signs or children at play at that far end of the street.

**Mr. Dennison** stated that maybe they could notify the police department and they could have someone out there on the weekends.

**Ms. Schroeder** stated that there was an officer there on Saturday and they let him know what was going on and he stated that he would look into it.

**Mrs. Garry** asked if there was any "children at play" signs in the area.

**Ms. Schroeder** stated that there is one at the front of the street but not any where the new houses are.

**Mr. Thompson** stated that there is another sign they could install in the area because he believes that there is a deaf child on the street.

**Mr. Malysz** asked him to go out as soon as possible and install the appropriate signs.

**There was a lengthy discussion regarding options that could use to slow the traffic.**

**Mr. Malysz** stated that the kids shouldn't be playing in the street and he hopes they will continue to monitor that situation. He explained that he is going to take this under advisement and the Street Commissioner is going to investigate and install appropriate signage and the police department is going to add extra details to the area. They are very concerned and want them to keep communications open.

**Mr. Hartman** stated that there are no sidewalks in the area which makes this even more of a problem.

**Mr. Malysz** stated that he would like a motion to make both of those cross streets four way stops.

**Mrs. Garry made the motion to make both cross streets a four way stop, Mr. Denison second, all voted in favor.**

#### **Item #4 - Resolution for Banner Policy**

**Mr. Denison** explained that in the beginning of the year they discussed the possibility of implementing a banner policy and they have reviewed the draft and the only change was that the fees for any business who is not a not for profit or a community group such as Harvest Homecoming will require a \$200 fee which will help out the street department. He explained that if this resolution is passed then it will go before the council in ordinance form to be passed.

**Mr. Malysz moved to approve BOW-08-04, Mrs. Garry second, all voted in favor.**

#### **Item #5 - Street light request for 1500 Old Ford Road**

**Mr. Denison** reported that he works with some residents in this area and it may not meet the full distance of the 100 feet from pole to pole, but this area is a very wooded and over grown area and it goes into a rather steep dip which is lit, but he went out to this area and he now understands why the residents would like a street light.

**Mr. Malysz** stated that he would like to take this under advisement and he would like to have the police department to investigate this in the evening hours and to have Mr. Denison check the code.

#### **Item #6 - Request for “No Parking” signs and yellow curb at 502 State Street**

**Mr. Denison** reported that he met with Mr. McMahan and he is starting a business on the corner of State and Elm. He explained that there are some no parking signs on the corner and a yellow curb and he would like to have the yellow curb painted white and updated signs for customer parking.

**Mr. Malysz** stated that he would like to take this under advisement so that the appropriate departments can go out and investigate this.

#### **Item #7 - Design Engineering for Rainbow Drive**

**Mr. Malysz** stated that they all received a copy of the proposal from John G. Brinkworth, Inc., and in the Charlestown Rd TIF there is a project on Rainbow Drive. He explained that the design plans would be done for \$83,300.00 and the engineering would be done for \$38,000.00. He stated that he is interested to hear a motion from the board for the approval of the proposal contingent upon Redevelopment approving the full contract. He stated that he sees a need to under-write this contract for \$25,000 out of LRS which will be reimbursed.

**Mr. Denison moved to approve the contract as discussed, Mrs. Garry second, all voted in favor.**

#### **Item #8 - Mike Profitt re: request for Solicitors Permit for Southern Marketing Group**

**Item was tabled until they can get the information for this business.**

**Mr. Malysz** stated that he would like to discuss the policy for solicitor's permits with Ms. Wisman at a later date.

**OLD BUSINESS:**

**Item #1 - Leo Messmer with Dan Christiani re: requesting street cut permit for Mt. Tabor Rd. 502-552-4689**

**Mr. Malysz** stated that Mr. Thompson has talked with Mr. Messmer and they would like to meet with Mr. Rosenbarger and the City Engineer to discuss a solution for cutting the road. He stated that this would be tabled until next week.

**Item #2 - William Reid, Superior Environmental Corp, re: request to do soil borings in the right of ways on E. Spring and E. 5<sup>th</sup> for AT&T**

**Mr. Thompson** stated that he has not had a chance to meet with the City Engineer yet on this issue.

**COMMUNICATIONS - CITY OFFICIALS:**

**Mrs. Garry** stated that she has a request to approve a contract with Pat Harrison Realty for a \$1,000 a month on a month to month basis to open a City Tow-In Lot starting July 1 2008 at a facility that used to be Shorty Bishop's old lot on Hwy 111.

**Mr. Malysz** asked if the police department has already facilitated approval through the Board of Zoning Appeals. He stated that he would entertain a motion based on the information given by Mrs. Garry.

**Mrs. Garry moved to approve the contract, Mr. Denison second, all voted in favor.**

**Mrs. Garry** stated that her second request was to block parking in front of the building on Friday from 8:00 a.m. to 2:00 p.m. for Employee Appreciation day.

**Mr. Denison moved to approve, Ms. Garry second, all voted in favor.**

**Ms. Wisman** stated that she received a phone call regarding some individuals collecting money on the corner of Blackiston Mill Road and Charlestown Road and she called it into the Police Department because they did not have a permit. She explained that this was an on going problem last year and she just wanted to ask that the Police Department patrol this. She stated that the only persons in the City of New Albany that has permission to collect for Crusade in connection with the Fire Department is the Redman Club and the Knights of Columbus.

**Mr. Hartman** stated that the he is very happy about the tow-in lot and he believes it will help the City out greatly and he is pleased to hear that this is going through and he is proud that the City is going through with this.

**Corporal Lawrence** stated that this is Click- it or Ticket month and that the police will be out doing heavy enforcement of seatbelt violations throughout the City. He explained that this is a federal grant and he did a television interview with Wave 3 to announce this as well as a press release.

**COMMUNICATIONS – PUBLIC:**

**Brian Jones** from New Chapel EMS asked when the next meeting for the Emergency Services board would be.

**Chief Juliot** stated that they just received their application and it will be taken under consideration and brought before the Board of Public Works and Safety.

**BIDS:**

**APPROVAL OF MINUTES:**

**Mr. Denison moved to approve the meeting minutes from May 13th, Mrs. Garry second, all voted in favor except Mrs. Garry who abstained.**

**ADJOURN:**

There being no further business before the board, the meeting adjourned at 11:11 a.m.

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Carl Malysz, President

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Marcey J. Wisman, City Clerk